

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KAREEM TORAIN	:	
	:	CIVIL ACTION
v.	:	
	:	NO. 14-1643
CITY OF PHILADELPHIA, ET AL.	:	

ORDER

AND NOW, this 12th day of January 2022, upon consideration of Defendant Reynold's Motion for Summary Judgment (ECF No. 58) and Defendants City of Philadelphia, Monaghan, Kelly, and Sinclair's Motion for Partial Summary Judgment (ECF No. 59), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** as follows:¹

1. Summary judgment is **GRANTED** in favor of Defendant Reynolds on Plaintiff's 14th Amendment Section 1983 claim predicated on a fabrication of evidence theory; and
2. Summary judgment is **GRANTED** in favor of Defendants Kelly and Sinclair on all remaining claims; and
3. Summary judgment is **GRANTED** in favor of the City of Philadelphia on Plaintiff's municipal liability claim as to the failure to train theory. Summary judgment is **DENIED** as to the municipal liability claim based on a custom theory and a failure to supervise or discipline theory.

¹ Plaintiff has voluntarily dismissed the false arrest, false imprisonment, access to courts, and equal protection claims against all Defendants. (Notice of Voluntary Dismissal, ECF no. 74.)

IT IS SO ORDERED.

BY THE COURT:

/s/ *R. Barclay Surrick*
R. BARCLAY SURRICK, J.